

REMARKS

In the action of June 15, 2009, the examiner objected to the Specification, objected to the Drawings, rejected claims 1, 2, 6, 7 and 9-12 under 35 U.S.C. 102(e) as anticipated by Lev et al; and rejected claims 3-5 and 8 under 35 U.S.C. 103 as unpatentable over Lev in view of Moret et al.

In response, applicant has amended the Specification to remedy the objection of the examiner. Approval of the amendment to the specification is respectfully requested.

Applicant submits a revised sheet of drawings correcting the numeral 67 to 68 in Figures 11 and 12. This remedies the examiner's objections in both paragraphs 2 and 3 of the action. Approval of the amendment to the drawings is respectfully requested.

The examiner has rejected the claims over the primary reference to Lev. In his action, the examiner asserts that a first connection arrangement 158 and 159 prevent rotation of the head portion of the toothbrush relative to the handle portion. However, this appears not to be true. Looking at Figures 9 and 10 in particular, it is noted that there is no physical connection between element 154 (containing notch 159) and handle 128. Element 154 is a seal, which is not a fixed part of handle 128, and is in fact separate from the handle. Applicant has amended claims 1, 10 and 12 to specify that the receiving portion is a fixed portion of the handle. Projection 158 can be pushed into a notch 159 in seal 154. The purpose of this connection is that as projection 158 moves into notch 159 it pushes seal 154 against contact plate 148. This ultimately results in operation of the toothbrush when it is in the automatic mode. However, there is nothing to prevent seal 154 from rotating relative to handle 128, and hence, there is no structure which prevents head portion 132 from rotating relative to handle 128.

Accordingly, the Lev structure does not teach a first connection arrangement to prevent rotational movement of the brushhead assembly relative to the handle. This limitation appears in all of the independent claims 1, 10 and 12. Those claims are hence allowable over Lev.

Since claims 2-9 and 11 are dependent upon the allowable independent claims, those claims are also allowable.

Note in addition claim 5, which sets forth a housing portion and a disengaging

member which acts against the engaging member, forcing it out of the opening in the handle to permit ready removal of the brushhead from the receiving portion. Applicant has reviewed the examiner's comments with respect to Moret and Lev relative to claim 1, but fails to find such a structure.

In view of the above, allowance of the application is respectfully requested.

Respectfully submitted,

JENSEN & PUNTIGAM, P.S.

By Clark A. Puntigam
Clark A. Puntigam, #25763
Attorney for Applicant